

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 9659

IN THE MATTER OF:

Served June 16, 2006

Application of A & S TRANS INC to	)	Case No. AP-2005-209
Acquire Certificate No. 923 from	)	
ABDELMAGID KAHLIEL HAMID KHALIEL,	)	
Trading as EMANCO TRANS	)	

By application accepted for filing December 21, 2005, applicant, A & S Trans, Inc., a Virginia entity, seeks Commission approval to acquire Certificate No. 923 from Abdelmagid Kahliel Hamid Khaliel, Trading as Emanco Trans. Khaliel has agreed to transfer Certificate No. 923 and other assets in exchange for a controlling interest in A & S Trans, Inc., a new carrier. The application is unopposed.

Under Article XI, Section 11(a), of the Compact, a person may not transfer a certificate of authority unless the Commission approves the transfer as consistent with the public interest. The public interest analysis focuses on the acquiring party's fitness.<sup>1</sup>

Applicant proposes commencing operations with one van. Applicant's proposed tariff contains rates for transportation under the District of Columbia Medicaid program.

Applicant verifies that: (1) applicant owns or leases, or has the means to acquire through ownership or lease, one or more motor vehicles meeting the Commission's safety requirements and suitable for the transportation proposed in this application; (2) applicant owns, or has the means to acquire, a motor vehicle liability insurance policy that provides the minimum amount of coverage required by Commission regulations; and (3) applicant has access to, is familiar with and will comply with the Compact, the Commission's rules, regulations and orders, and Federal Motor Carrier Safety Regulations as they pertain to transportation of passengers for hire.

The record indicates that applicant plans to operate out of the same address as A & M Trans, Inc., which has applied for a WMATC certificate of authority in Case No. AP-2005-210. Each carrier is admonished to keep its assets, books, finances and operations completely separate from the other's. Sharing of office space will be allowed, but this should not be construed as permission to share revenue vehicles or operating authority.<sup>2</sup>

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<sup>1</sup> In re Quality Med. Supplies LLC, t/a F & J Healthcare Servs., & Tingem Health Care Servs. Inc., No. AP-04-25, Order No. 8033 (May 27, 2004).

<sup>2</sup> In re Medina Transp. Serv., t/a Medina Express, No. AP-02-73, Order No. 6796 (Sept. 3, 2002).

Based on the evidence in this record, the Commission finds applicant to be fit, willing, and able to perform the proposed transportation properly and to conform with applicable regulatory requirements and, therefore, that the transfer of Certificate No. 923 to applicant is consistent with the public interest.

THEREFORE, IT IS ORDERED:

1. That upon applicant's timely compliance with the requirements of this order, Certificate of Authority No. 923 shall be reissued to A & S Trans, Inc., 9425 Cherwek Drive, Lorton, VA 22079.

2. That applicant may not transport passengers for hire between points in the Metropolitan District pursuant to this order unless and until a certificate of authority has been issued in accordance with the preceding paragraph.

3. That applicant is hereby directed to present its revenue vehicle(s) for inspection and file the following documents within the 180-day maximum permitted in Commission Regulation No. 66: (a) evidence of insurance pursuant to Commission Regulation No. 58 and Order No. 4203; (b) an original and four copies of a tariff or tariffs in accordance with Commission Regulation No. 55; (c) a vehicle list stating the year, make, model, serial number, fleet number, license plate number (with jurisdiction) and seating capacity of each vehicle to be used in revenue operations; (d) a copy of the for-hire vehicle registration card, and a lease as required by Commission Regulation No. 62 if applicant is not the registered owner, for each vehicle to be used in revenue operations; and (e) proof of current safety inspection of said vehicle(s) by or on behalf of the United States Department of Transportation, the State of Maryland, the District of Columbia, or the Commonwealth of Virginia.

4. That the grant of authority herein shall be void and the application shall stand denied upon applicant's failure to timely satisfy the conditions of issuance prescribed herein.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES, SMITH, AND CHRISTIE:



William S. Morrow, Jr.  
Executive Director